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OFFICE OF PETITIONS

In re Application of
Ito et al.
Application No. 09/781,886
Filing or 371(c) Date: 02/12/2001
Attorney Docket Number: 1232-4685

ON PETITION

This is a decision on the "Petition to Withdraw Holding of Abandonment based on Failure to Receive Office Action", filed September 18, 2006. The petition is properly treated under 37 CFR 1.181. The delay in treating this petition is regretted.

This Petition is hereby **granted**.

The above-identified application became abandoned for failure to timely and properly reply to the final office action, mailed February 28, 2006. The Notice set a two (2) month period for reply. No response having been received, the application became abandoned on May 29, 2006. A Notice of Abandonment was mailed September 13, 2006.


With the instant petition, Applicant has demonstrated non-receipt of the Office action by a preponderance of the evidence. Additionally, Office records reveal the Office action was returned to this Office by the United States Postal Service on March 13, 2006.

In view of the foregoing, the petition is **granted**. The holding of abandonment is hereby withdrawn.

No petition fee has been charged and none is due.

The application will be referred to Technology Center Art Unit 3625 for re-mailing of the Office communication and re-setting the period for reply.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.


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Office of Petitions